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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 JEFFREY S. PATERSON, ) 3:11-cv-00845-HDM-WGC  
12 )  
12 Plaintiff, )  
13 vs. ) ORDER  
14 )  
14 PATTERSON, et al., )  
15 )  
15 Defendants. )  
16 \_\_\_\_\_ )

17 Federal Rule of Civil Procedure 4(m) provides, in part, as  
18 follows:

19 If service of the summons and complaint is not made upon  
20 a defendant within 120 days after the filing of the  
21 complaint, the court, upon motion or on its own  
22 initiative after notice to the plaintiff, shall dismiss  
the action without prejudice as to that defendant or  
direct that service be effected within a specified time;  
provided that if the plaintiff shows good cause for the  
failure, the court shall extend the time of service. . .

23 The complaint in this action was screened and filed on  
24 December 15, 2011. Pursuant to the screening order, the action was  
25 immediately stayed for 90 days. The stay expired on March 14,  
26 2012. Plaintiff thus has up to and including July 12, 2012, in  
27 which to effectuate service on the defendants. To date, no proof  
28 of service has been filed as to defendants Adolph Stankus and

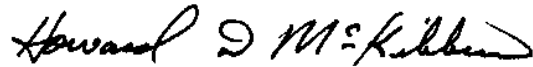
1 Patterson.

2 Notice is hereby given that this action shall be dismissed  
3 without prejudice as to said parties unless on or before September  
4 21, 2012, there is filed with the clerk proof of service on the  
5 above-named parties, which service must have taken place prior to  
6 the expiration of the 120-day time limit set forth in Fed. R. Civ.  
7 P. 4(m), or good cause is shown why such service was not made in  
8 that period.

9 Failure to comply with this notice shall result in automatic  
10 dismissal of the action without prejudice as to said parties.

11 **IT IS SO ORDERED.**

12 DATED: This 22nd day of August, 2012.

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15 UNITED STATES DISTRICT JUDGE  
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